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SUMMARY RECORD OF THE 9th MEETING

Chairman: Mr. HUDYMA (Ukraine)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 148: THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA (A/49/12, A/49/319-S/1994/976, A/49/332-S/1994/986, A/49/346, A/49/383-S/1994/1052, A/49/393-S/1994/1062, A/49/447-S/1994/1108, A/49/473-S/1994/1129; A/C.4/49/8, A/C.4/49/9; A/C.4/49/L.4)

1. Mr. SACIRBEY (Bosnia and Herzegovina), introducing draft resolution A/C.4/49/L.4 on behalf of the sponsors, said that Azerbaijan, Bangladesh, the Czech Republic, Egypt, Iran (Islamic Republic of), Jordan, Malta, Senegal and Singapore had joined the sponsors. The draft resolution and the item to which it related dealt with issues of the highest importance to his delegation. Its adoption would make a major contribution to a just and lasting settlement of the crisis.

2. Speaking as the Permanent Representative of Bosnia and Herzegovina, he said that the conflict in Croatia and Bosnia had not been generated by an ethnic implosion, but, rather, by the Serbian desire to carve out an ethnically homogeneous greater Serbia, in whose name all the campaigns of aggression and ethnic cleansing had been carried out. In that connection the draft resolution was meant to reverse a systematic and frequently brutal campaign to dismember Croatia and Bosnia and Herzegovina. The occupation of those areas not under the de facto control of those two countries must be condemned.

3. If the forces of disintegration carried the day, not only would sovereignty and territorial integrity be sacrificed, so would human rights. The draft resolution was thus critical and well timed, not only for the victims of aggression in the former Yugoslavia, but also for the principles on which the United Nations Charter was based.

4. Mr. GRAF ZU RANTZAU (Germany), speaking on behalf of the European Union, Austria, Finland, Norway and Sweden, said that the situation in the Serbian-controlled areas of Croatia was a permanent threat to the fragile state of non-belligerency which, with notable interruptions, had existed in the region since January 1992. The time had come to devise a political solution to the problems of the United Nations Protected Areas and the "pink zones".

5. The Serbian-Croat conflict in Croatia in reality involved two closely related problems. The first crucial issue was the problem of those areas of the Republic of Croatia under Serbian control, from which the non-Serbian population had been forcibly expelled. In that regard the European Union called for the authority of the Croatian Government to be restored, arrangements for autonomy to be agreed upon, and the expelled population, regardless of nationality, to be allowed to return. The future of the Serbian community in Croatia, especially in areas under the control of the Croatian Government, was the other, equally important problem. The European Union, concerned that in practice the Croatian constitutional law on the rights of national and ethnic communities, passed in December 1991, was not being fully implemented, reminded the Croatian Government that it must ensure strict respect for the fundamental civil and political

rights of all its citizens in accordance with established international standards.

6. The army of the former Yugoslavia had played a decisive role in the insurrection in Krajina and the establishment of Serbian control over mainly Croatian-populated areas. Furthermore the Belgrade Government continued to provide material and political support to the self-proclaimed authorities in those areas, and thus had a key role in bringing about a peaceful solution to the problem.

7. The 1992 Vance plan, endorsed by the Security Council in its resolution 724 (1991), had outlined the framework for a lasting cessation of hostilities, the crucial element in which had been, and continued to be, UNPROFOR. However the Serbian side had never respected its main provisions, in particular, the demilitarization of the United Nations Protected Areas, the return of refugees and displaced persons and the establishment of a local police force. In addition the Serbs had retained control over the "pink zones", which the plan had not provided for. The only measure implemented had been the withdrawal of the regular units of the Yugoslav National Army (JNA), which had been completed by October 1992.

8. At the time the Vance plan had been adopted, certain basic principles for a political solution had already been established: CSCE and the European Union had warned that no territorial changes would be acceptable and the Conference on Yugoslavia, with the Carrington plan, had established the principle of a special status of territorial autonomy for certain areas of Croatia and similar areas in the former Yugoslavia.

9. For its part the European Union had worked consistently to find solutions to the conflict, in particular by sending the first monitoring mission in 1991 and by creating the International Conference on the Former Yugoslavia. More recently, in November 1993, the European Union had proposed an action plan addressing all the problems of the region on the basis of a modus vivendi, the first part of which, a cease-fire agreement between the Croatian Government and the Krajina Serbs, had been implemented on 29 March 1994. The second part consisted in the adoption of various confidence-building measures, in accordance with Security Council resolutions 847 (1993) and 871 (1993). In that connection the European Union urged both parties, without further delay, to resume negotiations without preconditions.

10. The second part of the modus vivendi was only an intermediate step towards a definitive solution guaranteeing the sovereignty and territorial integrity of all the successor States to the former Yugoslavia, a solution to which the international community had committed itself in Security Council resolution 947 (1994). Further, the framework of that solution was already in existence: the Security Council had consistently and unequivocally affirmed the sovereignty and territorial integrity of the Republic of Croatia, including the United Nations Protected Areas and the "pink zones".

11. The principles embodied in the Carrington plan and the Vance plan had not lost their validity. The European Union called upon all parties to cooperate fully with the Co-Chairman of the International Conference on the Former Yugoslavia in the search for a political solution which would respect the rights of all the communities and would take account of the 1991 demographic structures of the United Nations Protected Areas and other areas where ethnic cleansing had subsequently occurred, wherever and by whomsoever committed. Regional autonomy would have to be limited to those areas of Croatia in which the pre-war census had indicated a Serbian majority. In other regions the time-frame and modalities of reintegration into Croatia would have to be carefully worked out.

12. A political solution would be heavily dependent on the attitude of Belgrade as well as on that of the self-proclaimed authorities in the Serbian-controlled areas. The Republic of Yugoslavia, which bore a major responsibility for the present situation, should contribute constructively to the peace process, inter alia, by recognizing Croatia within its internationally recognized borders and by making a commitment to support the efforts of the international community. Any peaceful solution for Bosnia and Herzegovina would remain precarious if it were not accompanied by a political settlement of the conflict over the Serbian-controlled areas of Croatia.

13. With respect to the draft resolution, the European Union continued to have reservations over the use of the words "occupation" and "occupied territories" in the third preambular paragraph and operative paragraph 2 respectively. Nevertheless the European Union would support its adoption.

14. Mr. NATHON (Hungary) observed that it had become commonplace to say that the crisis in the territory of the former Yugoslavia was the most serious in the history of Europe since the end of the Second World War. The international community had been unable to find a solution and the many resolutions adopted by the Security Council remained to be implemented.

15. It was against that background that the General Assembly had decided to include the question of the situation in the occupied territories of Croatia in its agenda. More than three years had elapsed since the adoption of the Vance plan, but the situation in the United Nations Protected Areas of Croatia had changed very little: no demilitarization had taken place in the Krajinas, the paramilitary forces had not been disbanded or disarmed and the refugees could not return to their homes. In that connection, the provision of shelter to the refugees who had been forced to flee as a result of the "ethnic cleansing" conducted by the self-proclaimed authorities in the United Nations Protected Areas inflicted a considerable burden on Hungary. The Krajina Serbs continued to ignore the positions taken by the international community.

16. There was no doubt that the so-called "Knin authorities" were relying on the support of the Federal Republic of Yugoslavia (Serbia and Montenegro), whose aim was to integrate all Serbian-populated areas of the former Yugoslavia. Otherwise, there would be no need for the Federal Republic of Yugoslavia to emphasize the right of the Serbian people to self-determination or to accelerate

the integration of the occupied Croatian territories into its administrative, military, educational, transportation and communication systems.

17. It was his country's firm conviction that no reference to self-determination could justify or legitimize aggression, the conquest of territory and the changing of borders by force. The solution to the crisis lay rather in respect for human rights, including those of national minorities, i.e., those of the Krajina Serbs in Croatia. In that connection, the Yugoslav authorities, who said they had no territorial claims, should recognize Croatia and Bosnia within their existing internationally recognized borders without delay.

18. Hungary fully understood the legitimate concerns of the Croatian Government, which could not exercise its sovereignty over one third of its territory, despite the unequivocal position and support of the international community. The dangers of prolonging the status quo were obvious.

19. The draft resolution under consideration sent an unequivocal message, even though the past three years had shown that miracles could not be expected in the region. His delegation nevertheless considered it important for the General Assembly to make its position clear to the parties concerned.

20. The Political Declaration of the Heads of Government of the Central European Initiative, adopted at Trieste on 16 July 1994, had supported the Croatian proposal to include the question of the situation in the occupied territories in the agenda of the forty-ninth session of the General Assembly. As a member of that framework of cooperation, Hungary was glad to be a sponsor of the draft resolution before the Committee.

21. Mr. BATU (Turkey) said that Turkey, as a close witness of the tragedy in the region under consideration, fully shared the concern of the Republic of Croatia and supported draft resolution A/C.4/49/L.4. The Washington and Vienna Agreements between the Republic of Bosnia and Herzegovina and the Republic of Croatia had laid the groundwork for a viable peace process. The Agreements were intended to preserve the territorial integrity of those republics. The Serbs should immediately withdraw their forces from the occupied territories under the close and effective supervision of the international community. If a lasting peace was to be achieved, the consequences of "ethnic cleansing" and occupation must be reversed without further delay.

22. Turkey strongly condemned the ongoing de facto situation in the United Nations Protected Areas, which was jeopardizing the sovereignty and territorial integrity of the Republic of Croatia. The entire international community must exert all possible pressure on the Federal Republic of Yugoslavia (Serbia and Montenegro) to recognize its neighbours within their internationally recognized borders. It was also necessary to establish an effective border monitoring system between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the neighbouring countries.

23. Turkey hoped that the draft resolution, of which it was a sponsor, would be adopted by consensus, so as to send a clear message to the aggressors.

24. Mr. SIMONOVIC (Croatia) thanked the General Assembly for having agreed to consider the situation in the occupied territories of Croatia. His delegation believed that the debate and the adoption of a resolution on the question would revive the deadlocked peace process in the region. Referring to the situation in Croatia and at Vukovar, which was as tragic as that in Bosnia and Herzegovina and at Sarajevo, he observed that the aim was not only to assist the populations concerned but also to defend the basic principles embodied in the Charter of the United Nations.

25. Despite three years of diplomatic efforts aimed at finding a political solution to the conflict, the situation in Croatia had only become worse. UNPROFOR had not been able to assume control in the territories occupied by the self-proclaimed local authorities, which were supported by Belgrade and remnants of the Yugoslav army that had been transformed into local units. A great deal of evidence demonstrating the continued presence of the Yugoslav army in Croatia was available to the international community. In addition to its military occupation of parts of the United Nations Protected Areas and "pink zones", the Federal Republic of Yugoslavia was seeking to bring them under the authority of its administration and integrate them into its economy: oil extraction, the banking sector and the university system provided examples of that process.

26. In fact, Croatia as a whole was feeling the effects of the occupation, for its main transportation and communication links had been cut. Beyond Croatia's borders, Europe itself, and more particularly Central Europe, were affected by the blockade of the Adriatic pipeline.

27. Lastly, and above all, Croatia was concerned about the fate of its 400,000 displaced persons and refugees, about 10 per cent of the population, whose anger and frustration arose not only from unacceptable living conditions but also from empty promises concerning their most basic right, the right to return and live in their own homes. The problem must be defined clearly if it was to be solved. In the case of Croatia, it was clear that the Federal Republic of Yugoslavia was occupying parts of the United Nations Protected Areas and the "pink zones" through its army and elements of its national minority, which were receiving its military and political support. That situation called for appropriate measures on the part of the international community, beginning with condemnation of the Federal Republic of Yugoslavia and its proxy authorities. In addition, it was necessary to promote a solution aimed not only at reintegrating territories but also at reintegrating all the people living together in Croatia. Mutual recognition between the successor States of the former Yugoslavia within their internationally recognized borders would be the essential next step in the peace process in Croatia. Croatia would welcome the General Assembly's clear vote of support in that regard.

28. However, it was not merely a question of defending national interests. No State Member of the United Nations could accept the changing of borders by force and abuse of the rights of defenceless civilians. A vote in favour of the draft

resolution would also be a vote of confidence in the principles of the Charter of the United Nations which, together with international law and standards, constituted the best defence against aggression and the best protection of sovereignty and territorial integrity, especially in the case of small States.

29. Mr. WHITMAN (United States of America) observed that draft resolution A/C.4/49/L.4 was a reminder that, while the conflict in Bosnia regularly commanded the world's attention, the equally tragic situation in Croatia was far from being settled. It rightly affirmed the position of the General Assembly and the Security Council that any settlement must be consistent with the territorial integrity of the Republic of Croatia.

30. The conflicts in Croatia and Bosnia were closely related in their consequences. Both had arisen from the exploitation of nationalist ambitions and fears by those who argued that ethnic security could only be assured by violence, the seizure of territory and reprehensible acts of "ethnic cleansing". Both conflicts had caused enormous suffering among the civilian population, and the failure to resolve those conflicts could be attributed primarily to the refusal of one party - the Serb party - to acknowledge that its interests were better served by negotiation and reconciliation than by continued hostilities and stalemate.

31. His Government intended to redouble its efforts to contribute to peace in Croatia and would do its utmost to encourage the parties to bury their resentments, hatreds and fears. It would do its part, but the responsibility for negotiation, compromise and forward-looking decisions rested with the parties themselves.

32. Mr. KHANDOGY (Ukraine) said that, for Ukraine, the fratricidal conflicts between the sovereign States of the former Yugoslavia were all the more disquieting given their proximity to its borders, the traditionally close economic, trade and cultural relations linking it to Croatia, Serbia, and other countries of the region and the subjection of Ukrainians living in the former Yugoslavia to the disgraceful practice of "ethnic cleansing". One of Ukraine's battalions, as part of the UNPROFOR contingent, was deployed in Sector North in Croatia, where a number of Ukrainian soldiers had lost their lives.

33. His delegation condemned the shameful and illegal practice of "ethnic cleansing", regardless of the identity of the perpetrators. It urged that those odious practices should cease immediately.

34. It reiterated its support for the sovereignty and territorial integrity of Croatia and called for the recognition of Croatia within its current, internationally recognized borders. The Serbian-controlled territories of Croatia must be peacefully reintegrated into the rest of the country under the close supervision of the international community.

35. The unconstitutional activities of the so-called Knin government were unacceptable. The proclamation of the "Serbian Krajina" in the territory of Croatia contravened the provisions of Security Council resolutions that regarded

United Nations Protected Areas as constituting an integral part of the Republic of Croatia, whose sovereignty and territorial integrity must be respected.

36. Slow progress in the implementation of the confidence-building measures between the Government of Croatia and the Croatian Serbs had adversely affected the civilian population, resulting in a flood of refugees and displaced persons.

37. He reiterated his delegation's support for United Nations activities aimed at achieving a peaceful settlement of the conflicts in the territory of the former Yugoslavia. In particular, his delegation welcomed the progress that had been made in implementing the agreement between UNPROFOR and the Government of Croatia on procedures regulating UNPROFOR traffic in the United Nations Protected Areas, and it called on the Croatian authority to continue to implement the provisions faithfully. It also urged all parties to the conflict to stop the bloodshed and to continue to seek an overall negotiated settlement of the conflict, again emphasizing that a military option would have incalculable consequences and would not lead to a durable peace.

38. Despite some imbalances and despite certain legal inaccuracies, especially in the use of the words "occupation" and "occupied territories", draft resolution A/C.4/49/L.4 appeared designed to facilitate the peaceful settlement of the Croatian crisis. His delegation therefore supported the thrust of the draft, especially paragraph 7, in which the General Assembly urged the restoration of the authority of the Republic of Croatia in its entire territory and further urged the utmost respect for human and minority rights in the territory of Croatia, including the right to autonomy in accordance with the Constitution of the Republic of Croatia and established international standards. It also welcomed the appeal in the same paragraph for efforts to achieve a political solution within the framework of the International Conference on the Former Yugoslavia, and it endorsed without qualification paragraph 9.

39. It was to be hoped that, by dint of additional efforts by the international community and through compromise, the conflict could be speedily settled with due regard for the interests of all the parties concerned.

40. Mr. DOUDECH (Tunisia) said that the Serbian occupation of the former Yugoslavia and parts of Croatia was a flagrant violation of one of the basic principles of the Charter of the United Nations, namely the principle of inadmissibility of the acquisition of territory through the use of force.

41. The breach was made more serious by the accompanying huge-scale "ethnic cleansing" and displacements, which were a gross violation of the most elementary principles of humanitarian law.

42. Although a plan to restore peace in Croatia had been drawn up and the Security Council had adopted a series of resolutions requesting all the parties to cooperate fully in order to implement the plan, the Serbian party continued to defy the international community by seeking to impose, in occupied Croatia, a military force and a political authority answering to the Belgrade Government,

which continued to arm and support the paramilitary forces of Serbs in Croatia in the attempt to create greater Serbia.

43. Such expansionist designs were evident from the participation of Serbian forces stationed in Croatia in military activities against Bosnia and Herzegovina and from the measures taken by the Serbian occupation authorities to establish an administrative, legal and monetary union linking the occupied Croatian territories, the Serbian-occupied territories of Bosnia and Herzegovina and Yugoslavia (Serbia and Montenegro).

44. His delegation therefore reiterated it commitment to the principle of respect for the territorial integrity of States and condemned the Serbian occupation of parts of Croatian territory. It stood ready to support efforts to restore peace and stability in the Balkans.

45. For his delegation, the implementation of the relevant Security Council resolutions, the launching of the peace-keeping plan in Croatia, the demobilization of all the units and all the elements making up the military forces operating in the United Nations Protected Areas, the return of the refugees and displaced persons and the recognition by the authorities of Serbia and Montenegro of the internationally recognized borders of Croatia were prerequisites for the normalization of the situation in the occupied territories of Croatia.

46. Thus far, the Croatian authorities had manifested a genuine will to cooperate with the United Nations by giving precedence to dialogue and negotiation and by adopting constitutional legislation recognizing the rights of minorities and therefore providing safeguards for all the communities living in Croatia. His delegation therefore considered that it was for the Serbian party to comply with the international legal regime and to display a spirit of cooperation. It urged the international community to put pressure on the Serbs and to redouble efforts to reach a peaceful solution.

47. His delegation welcomed the signature, on 29 March 1994, of the agreement calling for a cease-fire agreement in Croatia, urged that that agreement should be followed by practical measures enabling progress to be made in politically joining the occupied territories to the legal system of Croatia and expressed support for the draft resolution under consideration.

48. Mr. SHARIFF OMAR (Malaysia) said that the situation in the occupied territories of Croatia deserved the international community's full attention. He therefore welcomed the inclusion of that item in the agenda of the forty-ninth session of the General Assembly. Although it welcomed the positive efforts made by the Government of Croatia to adhere to the Security Council decisions and resolutions relating to the situation in the occupied territories of Croatia, the Malaysian delegation was gravely concerned by the failure so far of the Serbs to comply with those decisions and resolutions. That was a major stumbling block in the search for a just and durable solution to the conflict.

49. The Malaysian delegation was also deeply disappointed by the lack of commitment on the part of the Security Council to enforce the resolutions which it had adopted to bring a just end to the conflict, despite Malaysia's repeated calls on the Council to do so. Indeed, the action of the Council in other parts of the world indicated that the Council's inability to put an end to the crisis in Croatia was due not to a lack of capability or resources, but rather to a lack of interest and political will.

50. The Security Council's reluctance and inability to enforce its own decisions were attributable to, inter alia, the deep divisions motivated by parochial interests among the major Powers. Those Powers, while occupying the high moral ground on human rights and democracy, seemed unmoved by the massive human rights violations and human misery in Croatia and apparently ignored the fact that the failure of the Security Council to enforce its own resolutions only served to undermine its own legitimacy.

51. It was therefore no wonder that the Serbs, whose crimes remained unpunished, continued to openly flout the resolutions of the Security Council. Indeed, Security Council resolution 943 (1994) of 23 September 1994, which provided for a partial lifting of sanctions, had served only to embolden the aggressors and their supporters, who had seen the adoption of that resolution as a sign that the Security Council would continue to succumb to the pressure which they exercised through their policy of "ethnic cleansing" and acquisition of territory through the use of force.

52. Malaysia, as a peace-loving nation, could not condone any act of aggression against a sovereign State. His delegation had consistently spoken out against the despicable policies of "ethnic cleansing" and genocide. Serbian aggression in the occupied territories of the Republic of Croatia represented a flagrant violation of the principles of the sovereign equality of States and non-interference in the affairs of other States, which were enshrined in the Charter and in international humanitarian law, and threatened the territorial integrity and security of the Republic of Croatia.

53. Malaysia therefore urged the Serbs to withdraw immediately from the occupied territories of Croatia in accordance with Security Council resolution 820 (1993). It fervently hoped that peace could be restored in the Republic of Croatia and in the region as a whole, including in Bosnia and Herzegovina.

54. Lastly, his delegation urged the Committee to adopt the draft resolution under consideration, which it was co-sponsoring.

55. Mr. LENARČIČ (Slovenia) said that the debate on the item under consideration brought to mind the situation that had existed three years previously, when the expectation of imminent bloodshed had been tempered by hopes that the international community would prevent such a catastrophe. At that time, the former Yugoslavia had been in the process of dissolution and had eventually ceased to exist.

56. That situation in itself had not necessarily been a tragedy, since other socialist federations in Europe had also dissolved and ceased to exist. That dissolution, however, had been accomplished without the use of force, unlike the situation in the Republic of Croatia, a country which had since 1991 been the victim of armed aggression by the army of the former Yugoslavia. The fact of that aggression had been reflected in the Vance Plan which, as one of its fundamental elements, had demanded the complete withdrawal of the army of the former Yugoslavia. A peace-keeping operation had later been established and one of its tasks had been the creation of the necessary conditions for the return of refugees and displaced persons. Unfortunately, those efforts had been unsuccessful. Many members of the former Yugoslav army had not been withdrawn and had become members of local Serb paramilitary units. The violence had continued, resembling more and more the pattern of "ethnic cleansing" while the threat to the territorial integrity of Croatia had intensified. In that connection, the Slovenian delegation wished to emphasize that the borders of the successor States of the former Yugoslavia were well known and internationally recognized. They were the historical borders which, during the existence of the former Federal Republic of Yugoslavia, had been constitutionally approved. Allegations to the effect that they were merely administrative borders were therefore totally unfounded.

57. In that connection, the General Assembly should attach the importance it deserved to the situation in the occupied territories of Croatia and should make recommendations for action to complement the efforts of the Security Council, the Contact Group on Bosnia and Herzegovina and the Co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. Particular emphasis should be placed on the need to preserve the territorial integrity of Croatia, to create suitable conditions for the return of displaced persons, and to restore the authority of the Republic of Croatia in Serbian-controlled territories. The latter action should be complemented by measures to ensure respect for human and minority rights, in accordance with established international standards.

58. Mr. KOVANDA (Czech Republic) said that the draft resolution under consideration focused attention on one of the most important problems of the former Yugoslavia, namely, the current status of Croatian territories with a Serbian majority which had been under the de facto administration of self-proclaimed authorities belonging to that same majority. Most of those territories were in the United Nations protected areas in which peace was being preserved thanks to the presence of the United Nations Protection Force (UNPROFOR). Unfortunately, that situation was illustrative of a pattern seen in other parts of the former Yugoslavia, and indeed in other areas of the world. Self-proclaimed regional authorities assumed power, "ethnically cleansed" the territories under their control and acquired a specious mandate from the population that remained. Meanwhile, the international community, which had been fully aware of the fighting under way and of the plight of "ethnically cleansed" and displaced persons, sent in a peace-keeping operation which, while helping to reduce the intensity of the fighting, was nevertheless unable to restore the status quo ante. The Czech delegation had decided to co-sponsor the draft resolution under consideration because it fully understood the gravity of

the situation and the frustrations and impatience of the Government and population of the Republic of Croatia, even though it was of the view that the wording of the text could have been somewhat improved.

59. The Czech delegation strongly urged the parties to continue to observe the cease-fire agreed to in March 1994, which was of crucial importance. Moreover, it regretted that the talks initiated between the Governments of Zagreb and Belgrade and between the Government of Zagreb and the breakaway authorities in Knin had so far yielded no results and it urged the parties concerned to resume those discussions with a view to bringing about an early reopening of communication and transport links, including the Adriatic pipeline.

60. The Czech delegation was of the view, however, that the key to the problem lay in the relations between Zagreb and Belgrade and that mutual recognition of the States in the region, within their internationally recognized borders, was an important step towards untangling the situation. It therefore strongly recommended that such a step should be taken, since it would also greatly simplify parallel or consecutive discussions between the Croatian authorities and the representatives of Croatian Serbs. In that context, while it welcomed the changes that had been made in Croatia's Constitution in order to provide autonomy for Croatia's Serbs, his delegation regretted that the Croatian authorities had not so far fully clarified their reaction to the proposals made by the peace negotiators concerning the extent of such autonomy.

61. The Czech delegation agreed that it was hardly feasible for Croatia to unilaterally decide to reintegrate the United Nations protected areas and that, unless the parties agreed on that issue, the only way to reintegrate those areas would be by force, a solution in which UNPROFOR would obviously be disinclined to engage.

62. The Czech delegation noted with satisfaction that the draft resolution under consideration commended the work of UNPROFOR and recognized the importance of its role in the overall peace process. His country was proud to have 900 troops serving under UNPROFOR in Croatia, where they had earned the respect of all. The role of UNPROFOR was vital and the Czech Republic therefore unreservedly supported Security Council resolution 947 (1994), which extended the mandate of that force for an additional period of six months. His delegation hoped that, in accordance with that resolution, the Croatian authorities would proceed rapidly to complete negotiations on agreements on the status of forces.

63. In summary, the Czech Republic was ready to contribute to the revival of a peace economy in Croatia, whenever invited.

64. Mr. TAKHT-RAVANCHI (Islamic Republic of Iran) said the tragic events of the previous three years in Croatia had made it clear that despite many Security Council resolutions and statements, peace in the entire territory of the Republic of Croatia had not been restored. The same was true in the Republic of Bosnia and Herzegovina, where ethnic cleansing, genocide and violations of the most fundamental human rights and international humanitarian law were being

committed by the Serbs. The continuance of that situation was due to the lack of political will to address the root causes of the problems, namely Serbian aggression.

65. The war in the Republic of Croatia had started in June 1991, and major military operations had been halted by a cease-fire agreed upon in January 1992. The Security Council had reaffirmed, by its resolutions 815 (1993), 820 (1993) and 847 (1993), the sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders. Serbian occupying forces had, however, pursued their campaign of ethnic cleansing and altered the demographic structure of the occupied parts of Croatia, and attempted to integrate the occupied territories into the administrative, military, educational, transportation and communication systems of Serbia and Montenegro.

66. In its declaration of 29 September 1994, the Ministerial Meeting of the Contact Group of the Organization of the Islamic Conference (OIC) on Bosnia and Herzegovina had called for the recognition by Serbia and Montenegro of the Republic of Bosnia and Herzegovina as well as the Republic of Croatia and other States of the former Yugoslavia within their internationally recognized borders. His Government, as a member of the Contact Group of OIC, considered that recognition to be one of the most important elements to be materialized in order to arrive at a peaceful solution to the crisis.

67. His delegation had therefore joined the sponsors of the draft resolution which was before the Committee, in the hope that its adoption would help reverse the results of the aggression in the region and ensure respect for the sovereignty and territorial integrity of all States of the former Yugoslavia.

68. Mr. KEATING (New Zealand) said it was timely that the General Assembly should consider the implications of the situation currently existing in the territory of the Republic of Croatia. It was three years since the United Nations, through the Vance Plan, had established protected areas in Croatia, and it was clear that only a comprehensive settlement could achieve their reintegration into Croatian jurisdiction.

69. His Government believed that one of the foundations of such a settlement had to be mutual recognition of the international borders, and respect for the territorial integrity and sovereignty of all States in the region.

70. It was appropriate that draft resolution A/C.4/49/L.4 should call for respect for the cease-fire agreements and for the resumption of direct negotiations in close cooperation with the International Conference on the Former Yugoslavia, so that the international community and the parties concerned could work on finding a solution on the basis of the other fundamental elements of the peace process set out in the draft resolution.

71. Essentially, the draft resolution affirmed the right of Croatia, as of every other Member of the United Nations, to live in peace within its internationally recognized borders. It was understandable that it also

reflected the frustration of the Government of Croatia at the slow progress towards resolving the situation in the Serb-held parts of the country.

72. His delegation supported the draft resolution, which complemented decisions taken in the Security Council and reaffirmed the principle that it was unacceptable to seize territory by force.

73. Mr. BAHADUR KHAN (Pakistan) said the principles of inviolability of international borders, preservation of sovereignty and territorial integrity, and inadmissibility of acquisition of territory by use of force had been violated with impunity by the Serb aggressors. The international community bore a collective responsibility for the situation and for the failure to halt and reverse Serbian aggression and restore the occupied territories to Croatia and Bosnia and Herzegovina.

74. Peace should be restored in the region without further delay, by applying the various measures set out in draft resolution A/C.4/49/L.4.

75. Pakistan had welcomed the Washington Agreement and the establishment of the Federation of Croats and Bosnians as a positive step towards restoring peace and stability in the region. Hopes had also been engendered by the peace plan presented by the European Contact Group for territorial allocation to the Bosnians and Croats. Regrettably the Bosnian Serbs had rejected the plan despite the fact that it was unjust to the Bosnian Muslims. If peace was to endure it should be just. Aggression could not be condoned; it would be wrong to reward the aggressor and penalize the victim.

76. Pakistan had voted against the partial lifting of sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) because the consequences of aggression had not been reversed and territories occupied by force had not been restored. Lifting of the arms embargo might only serve to encourage Serbian intransigence. Before such a step was taken, measures should be adopted to relieve the suffering in Sarajevo and other areas. The Security Council should at least have responded forcefully to the gross violations of its resolutions. The entire area allocated to the Bosnian-Croat Federation should have been declared a "safe area". Pakistan fully supported the proposal for the immediate lifting of the arms embargo against Bosnia and Herzegovina, to allow the inhabitants to defend themselves.

77. The Foreign Minister of Pakistan, in his capacity as Chairman of the Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina at the level of Foreign Ministers, had conveyed to the President of the Security Council the dismay of the Islamic States at the adoption by the Council of resolution 943 (1994), partially easing the sanctions, and had reaffirmed that the OIC countries contributing troops to the United Nations Protection Force (UNPROFOR) were willing to contribute additional troops to strengthen the Force.

78. Pakistan welcomed the recent extension of the mandate of UNPROFOR. In the absence of an overall political settlement acceptable to all parties, the

Force's presence remained invaluable. However, vigorous steps should be taken by the Force to effectively protect the safe areas, and exclusion zones should be created around them.

79. His delegation had co-sponsored the draft resolution before the Committee, in the hope that its adoption would help the international community to respond effectively to the atrocities committed by Serbia in the occupied territories, and to restore without delay Croatia's authority over its entire territory.

80. Mr. FUKUSHIMA (Japan) said the cease-fire agreement signed in Zagreb on 29 March 1994 by the Government of Croatia and the local Serb authorities in the United Nations Protected Areas had proved effective in significantly reducing hostilities in Croatia. That was due in no small part to the contribution of UNPROFOR, for which Japan expressed its heartfelt appreciation.

81. With the conclusion of the agreement, expectations have been raised regarding the normalization of relations, particularly economic relations, between the Croatian authorities and the local Serb authorities in the Protected Areas. However, the International Conference on the Former Yugoslavia, despite its continued efforts, had not obtained a resumption of negotiations for that purpose. Japan considered the resumption of negotiations between the parties concerned to be absolutely essential to the normalization of the situation in Croatia.

82. Japan was deeply concerned about the lack of progress and the danger that the international community might become resigned to the status quo.

83. Regarding draft resolution A/C.4/49/L.4, his delegation had reservations as to the appropriateness of some of the paragraphs, particularly paragraph 2, but supported the general thrust of the text. It recognized the importance of continuing efforts to restore peace throughout the territory of the Republic of Croatia while preserving its territorial integrity within its internationally recognized borders; the importance of the mutual recognition by all States in the region of the former Yugoslavia of their international borders; and the right of all refugees and displaced persons from that region to return to their homes in safety and in dignity.

84. In September 1994, the Security Council had adopted a resolution extending the mandate of UNPROFOR for six months. It was incumbent upon the international community to redouble its efforts without delay, in order to restore peace throughout the region through a process of negotiation. Japan supported all international efforts, particularly those of UNPROFOR, the International Conference on the Former Yugoslavia, and the Contact Group.

85. The CHAIRMAN invited delegations wishing to do so to explain their vote before the vote on draft resolution A/C.4/49/L.4.

86. Mr. FEDOTOV (Russian Federation) said that a just and lasting settlement of the complex set of problems related to the situation in the United Nations Protected Areas in Croatia was important for settlement of the crisis in the

former Yugoslavia, without which there could be no peace or stability in the Balkans. Having actively supported the efforts made in that direction by the International Conference on the Former Yugoslavia, Russia regretted that the United Nations Vance Plan had still not been implemented. It noted that the Security Council resolutions contained a whole series of concrete measures aimed at resolving the situation in the areas concerned.

87. In reading the draft resolution on the question, his delegation could not help but note the extent to which it deviated from the provisions of the Security Council resolutions. It was extremely biased and failed to convey all elements of the situation. In particular, it omitted to mention that the future status of the territories concerned should be determined through negotiations. His delegation had therefore proposed amendments with a view to restoring balance in the text and bringing the wording into line with that of the Security Council resolutions. Unfortunately, those amendments had not been taken into consideration.

88. Under such circumstances, his delegation could not support the draft and would abstain from participating in the vote. It hoped, however, that the General Assembly's adoption of a unilateral resolution would not hamper the negotiation process at the very time when it was being accelerated. The Russian Federation believed that the relevant Security Council resolutions and the provisions of the Vance Plan formed the desired basis for continuation of the search for a solution to the complex problem of the United Nations Protected Areas.

89. Mr. KULLA (Albania) stated that Albania, which had always condemned Serbian aggression, was extremely concerned by the ethnic cleansing being carried out by the Federal Army of Yugoslavia in the context of the war of aggression that it was waging against Croatia. It therefore supported the efforts of the international community aimed at finding a political solution to the crisis. Accordingly, Albania would vote in favour of draft resolution A/C.4/49/L.4, which sent a clear message to the Serbs.

90. The CHAIRMAN invited the Committee to vote on draft resolution A/C.4/49/L.4.

91. At the request of one representative, a recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Guyana, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Maldives,

Mali, Malta, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: None.

Abstaining: Angola, Barbados, Belarus, Benin, Bolivia, China, Colombia, Ecuador, Guatemala, India, Lesotho, Mexico, Namibia, Paraguay, Russian Federation, South Africa, Togo, Venezuela, Zambia, Zimbabwe.

92. Draft resolution A/C.4/49/L.4 was adopted by 111 votes to none, with 20 abstentions.

93. Mr. DUMITRIU (Romania), explaining his vote, said that Romania, speaking in explanation of vote, said that Romania supported all peaceful initiatives aimed at restoring peace in the Balkans. In particular, it supported the appeal made in paragraph 10 of the draft resolution to resume direct negotiations in close cooperation with the International Conference on the Former Yugoslavia. In addition, Romania was pleased that an appeal had been made for mutual recognition between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) within their existing internationally recognized borders.

94. Mr. PATRIOTA (Brazil) remarked that political and religious tolerance was the cornerstone of relations in Brazilian society. Since it wished to see an easing of tensions in the Balkans, Brazil supported the draft resolution, which reaffirmed the right of all refugees and displaced persons from the former Yugoslavia to return voluntarily to their homes.

95. He none the less had a reservation concerning the wording of paragraph 2, which was inconsistent with the resolutions adopted on the subject by the Security Council.

96. Mr. ZHANG (China) said China believed that all parties to the conflict should seek a negotiated, just and lasting solution. It was important to respect the sovereignty and territorial integrity of all countries in the region, and to protect all ethnic groups. With regard to the United Nations Protected Areas, it was to be hoped that the parties to the conflict would succeed in finding an appropriate solution in the framework of the International Conference on the Former Yugoslavia. Since it subscribed to the peace efforts aimed at reaching a lasting settlement in the region, China supported the

substance of the draft resolution that had just been adopted. Its support of the resolutions adopted by the Security Council on the subject was motivated by the same reasons. Furthermore, China believed that the territory of Croatia should be protected. The wording of the provisions on the "occupied territories" did not correspond to that of the relevant Security Council resolutions, which could lead to legal and even political difficulties. China had therefore abstained from the vote.

97. Mr. CAMACHO OMISTE (Bolivia) stressed that his country's abstention by no means altered its intangible support for the principle of the inadmissibility of the acquisition of territories by force.

98. The CHAIRMAN said that the Committee had thus completed consideration of agenda item 148.

AGENDA ITEM 74: PROTECTION AND SECURITY OF SMALL STATES (A/C.4/49/L.3)

99. The CHAIRMAN announced that Benin, Cambodia, El Salvador, Guatemala, Oman, the Philippines, Thailand and Viet Nam had become sponsors of draft resolution A/C.4/49/L.3 on the protection and security of small States.

100. Draft resolution A/C.4/49/L.3 was adopted without a vote.

AGENDA ITEM 85: SCIENCE AND PEACE (continued)

101. The CHAIRMAN suggested to the Committee that, as the representative of Costa Rica had proposed at the 8th meeting, held on 19 October 1994, the item entitled "Science and peace" should be removed from the agenda.

102. It was so decided.

ORGANIZATION OF WORK

103. The CHAIRMAN announced that the Committee would take up agenda item 80 (Questions relating to information) on 26 October 1994.

The meeting rose at 5.30 p.m.